

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
) Case No. 3:17-CR-167
v.) JUDGE TRAUGER
)
HOMERO QUINTANILLA NAVARRO)

**DEFENDANT’S REPLY TO THE GOVERNMENT’S RESPONSES TO HIS
MOTION FOR COMPASSIONATE RELEASE**

Homero Quintanilla Navarro (Quintanilla) replies to the government’s response to his motion for compassionate release.

The government acknowledges that Quintanilla has diabetes and high-blood pressure and is obese (5’ 2” and 250 pounds), and acknowledges that the Center for Disease Control puts people with these conditions at high risk for severe complications from Covid-19, but it argues that these conditions do not amount to “extraordinary and compelling reasons” under the statute that would make him eligible for release. (Response, R.42, PageID# 233.) It points out that his diabetes is “well-managed” in prison (*id.*) *as long as he is not infected with Covid-19.*

This argument against eligibility appears inconsistent with the admission of the government in other cases that the combination of diabetes and a prison suffering a Covid-19 outbreak can amount to “extraordinary and compelling reasons” under the statute and consistent with Note 1(A)(ii) in the policy statement, U.S.S.G. § 1B1.13. (Ex. 1, *Edwards* Order at 4, 13.) Quintanilla asks that the Court find this standard for eligibility is satisfied by the combination of his

diabetes, high-blood pressure, obesity and the outbreak of Covid-19 at Oakdale FCI, where at least 20% of the inmates have gotten the virus.

It is true that Quintanilla had not identified a release plan other than deportation to Mexico. This morning Quintanilla provided the details of that plan to the Probation Office and AUSA Klopff. Quintanilla would live with his sister-in-law in Escobedo, Nuevo Leon, Mexico, and they can help him find work in construction.

Respectfully submitted,

s/ Michael C. Holley

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CERTIFICATE OF SERVICE

I hereby certify that on June 5, 2020, I electronically filed this pleading with the U.S. District Court Clerk by using the CM/ECF system, which will send a Notice of Electronic Filing to Amanda Klopff, Assistant United States Attorney, Office of the U.S. Attorney, 110 Ninth Avenue North, Suite A961, Nashville, Tennessee, 37203.

s/ Michael C. Holley

MICHAEL C. HOLLEY